

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CYNTHIA McGRATH, INDIVIDUALLY, AND AS : Civil Case No. 07 CIV 11279  
ADMINISTRATRIX AD PROSEQUENDUM OF THE : (SCR) (GAY)  
ESTATE OF MEGAN K. WRIGHT, DECEASED, AND :  
AS GENERAL ADMINISTRATRIX OF THE ESTATE :  
OF MEGAN K. WRIGHT, DECEASED, :

Plaintiff, :

- against - :

(ECF Case)

DOMINICAN COLLEGE OF BLAUVELT, :  
NEW YORK, SISTER MARY EILEEN O'BRIEN, :  
INDIVIDUALLY AND AS PRESIDENT OF :  
DOMINICAN COLLEGE, JOHN LENNON, :  
INDIVIDUALLY AND AS DIRECTOR OF :  
SECURITY OF DOMINICAN COLLEGE, JOHN :  
PRESCOTT, INDIVIDUALLY AND AS DEAN OF :  
STUDENTS OF DOMINICAN COLLEGE, CARLYLE :  
HICKS, INDIVIDUALLY AND AS DIRECTOR OF :  
RESIDENT LIFE OF DOMINICAN COLLEGE, :  
RICHARD FEGINS, JR., KENNETH A. THORNE, JR., :  
ISAIAH LYNCH, and TERRELL E. HILL, :

Defendants.

**Affidavit of Cynthia McGrath**  
**Pursuant to EPTL § 13-3.5**

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State of New Jersey )  
 ) ss.:  
County of Bergen )

CYNTHIA McGRATH, of Bergen County, New Jersey, being duly sworn, deposes and says:

1. I am the duly appointed Administratrix Ad Prosequendum and General Administratrix of the Estate of Megan K. Wright, deceased ("Decedent"), having been appointed as Administratrix Ad Prosequendum by order of the Surrogate's Court of the State of New Jersey for Bergen County on the 15th day of February 2007, and thereafter having been appointed as General Administratrix of such Estate by order of the Surrogate's Court of the State of New Jersey for Bergen County on the 25th day of January, 2008. (A copy of the respective Letters of Administration evidencing each such

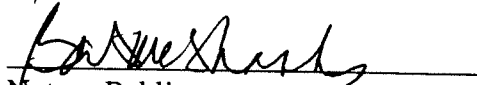
2. The deponent duly qualified in each capacity, and ever since has been and now is acting in each such capacity.

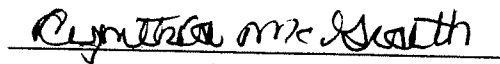
3. Decedent died on the 16th day of December, 2006, domiciled in the State of New Jersey. (A copy of Decedent's Death Certificate is annexed as Exhibit "B" hereto.)


4. At her death Decedent was not indebted to any resident of the State of New York, nor is her Estate indebted to any resident of the State of New York.

5. More than six (6) months have elapsed since the death of Decedent, and no petition for ancillary administration of the Estate of Decedent has been filed in any court of the State of New York.

Sworn to before me this  
14 day of June, 2008

  
Notary Public

  
Cynthia McGrath

  
Kirkpatrick & Lockhart Preston Gates Ellis LLP  
Andrew L. Morrison  
*Attorneys for Plaintiff Cynthia McGrath,  
Individually and as Administratrix  
Ad Prosequendum of the Estate  
of Megan K. Wright, Deceased, and as  
General Administratrix of the Estate of  
Megan K. Wright, Deceased*  
599 Lexington Avenue  
New York, NY 10022  
(212) 536-3900

## **EXHIBIT A**

# State of New Jersey Bergen County Surrogate's Court

In the matter of the Estate of:

**Megan Keely Wright, Deceased**

} **LETTERS ADMINISTRATION  
AD PROSEQUENDUM**

I, **Michael R. Dressler**, Surrogate of Bergen County and State of New Jersey, do hereby **certify** that on February 15, 2007, Administration Ad Prosequendum of decedent, who died intestate, late of the County of Bergen and State of New Jersey was granted by me to **Cynthia McGrath of said County of Bergen** who is duly authorized to bring an action, institute a proceeding or make a claim in his/her name as such Administrator/rix Ad Prosequendum as in the statute such case provided; but this grant of letters shall be limited, however, to the recovery of judgment or settlement of any such action, proceeding or claim, but no payment in settlement thereof, or satisfaction of any judgment obtained, in any such action or proceeding brought or instituted, or any part thereof, shall be made to the administrator/rix, but such payment shall be made in such settlement or satisfaction, only to a general administrator/rix, and according to the statute.

DO NOT ACCEPT WITHOUT RAISED SEAL

WITNESS my hand and seal of office this:  
February 15, 2007

  
\_\_\_\_\_  
Michael R. Dressler, Surrogate

*State of New Jersey*  
*Bergen County Surrogate's Court*

In the matter of the Estate of:

**Megan Keely Wright, Deceased**

}

**LETTERS OF  
ADMINISTRATION**

I, **Michael R. Dressler**, Surrogate of the County of Bergen, State of New Jersey, do hereby **certify** that on this January 25, 2008, Administration of the goods and chattels, rights and credits, which were of **Megan Keely Wright**, deceased, late of the County of Bergen and State of New Jersey, who died intestate, was granted by the to **Cynthia McGrath**, who is duly authorized to administer the same agreeably to law.

**DO NOT ACCEPT WITHOUT RAISED SEAL**



**WITNESS my hand and seal of office on:**

**January 25, 2008**

**Michael R. Dressler, Surrogate**

**EXHIBIT B**

A0004447909

# CERTIFICATE OF DEATH

DECEASED NAME

**MEGAN KEELY WRIGHT**

DATE OF BIRTH

**07/11/1986**

SEX

**FEMALE**

DATE OF DEATH

**12/16/2006**

PLACE OF DEATH

**VILLAGE OF RIDGEWOOD**

COUNTY OF DEATH

**BERGEN**

RESIDENCE ADDRESS

**804 DE SIMONE COURT**

SOCIAL SECURITY NUMBER

**248652950**

MUNICIPALITY OF RESIDENCE

**RAMSEY**

COUNTY OF RESIDENCE

**BERGEN**

MARITAL STATUS

**NEVER MARRIED**

SURVIVING PARTNER

**NONE**MANNER OF DEATH: **PENDING**

FILE NUMBER

**06830**

CAUSE OF DEATH:

**PENDING TOXICOLOGY**DATE ISSUED: **06/19/2008**DATE FILED WITH REGISTRAR: **12/22/2006**AMENDED DATE: **N/A**

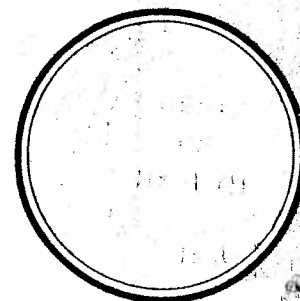
ISSUED BY:

*Village of Ridgewood*  
*Health Department*  
*Gail F. Battaglia - Registrar*

This is to certify that the above is correctly  
copied from a record on file in my office.

*Certified copy not valid unless the raised  
Great Seal of the State of New Jersey  
or the seal of the issuing municipality  
or county, is affixed hereon.*

*Joseph A. Komosinski*  
Joseph A. Komosinski, State Registrar  
Bureau of Vital Statistics



REG-42A  
JULY 04



Andrew L. Morrison (AM-1071)  
Sarah P. Kenney (SK-5642)  
KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP  
599 Lexington Avenue  
New York, New York 10022  
212-536-3900  
Attorneys for Plaintiff  
Cynthia McGrath, individually and as  
Administratrix Ad Prosequendum of the Estate  
of Megan Wright, Deceased, and as General  
Administratrix of the Estate of Megan K.  
Wright Deceased

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ESTATE OF MEGAN K. WRIGHT, DECEASED, AND :  
AS GENERAL ADMINISTRATRIX OF THE ESTATE :  
OF MEGAN K. WRIGHT, DECEASED, :

Plaintiff, :

- against - :

DOMINICAN COLLEGE OF BLAUVELT, :  
NEW YORK, SISTER MARY EILEEN O'BRIEN, : **CERTIFICATE OF**  
INDIVIDUALLY AND AS PRESIDENT OF : **SERVICE**  
DOMINICAN COLLEGE, JOHN LENNON, :  
INDIVIDUALLY AND AS DIRECTOR OF :  
SECURITY OF DOMINICAN COLLEGE, JOHN :  
PRESCOTT, INDIVIDUALLY AND AS DEAN OF :  
STUDENTS OF DOMINICAN COLLEGE, CARLYLE :  
HICKS, INDIVIDUALLY AND AS DIRECTOR OF :  
RESIDENT LIFE OF DOMINICAN COLLEGE, :  
RICHARD FEGINS, JR., KENNETH A. THORNE, JR., :  
ISAAH LYNCH, and TERRELL E. HILL, :

Defendants. :  
-----X

I, Sarah P. Kenney, hereby certify that on June 24, 2008, I caused the Affidavit of  
Cynthia McGrath Pursuant To EPTL § 13-3.5, to be served by first class mail, postage prepaid,



addressed as follows:

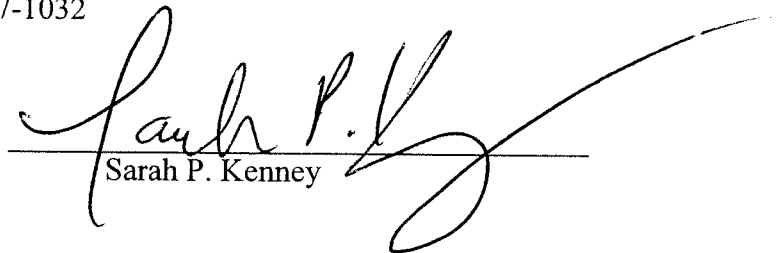
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New York, New York 10038

Terrell Hill  
32 Halgren Cres.  
Haverstraw, New York 10927-1032



Sarah P. Kenney

Civil Case No. 07-Civ. 11279 (SCR) (GAY)  
ECF Case

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CYNTHIA McGRATH, INDIVIDUALLY AND AS ADMINISTRATRIX AD  
PROSEQUENDUM OF THE ESTATE OF MEGAN K. WRIGHT, DECEASED, AND  
AS GENERAL ADMINISTRATRIX OF THE ESTATE OF MEGAN K. WRIGHT,  
DECEASED,

Plaintiff,

- against -

DOMINICAN COLLEGE OF BLAUVELT, NEW YORK, SISTER MARY EILEEN O'BRIEN,  
INDIVIDUALLY AND AS PRESIDENT OF DOMINICAN COLLEGE, JOHN LENNON,  
INDIVIDUALLY AND AS DIRECTOR OF SECURITY OF DOMINICAN COLLEGE, JOHN  
PRESCOTT, INDIVIDUALLY AND AS DEAN OF STUDENTS OF DOMINICAN COLLEGE,  
CARLYLE HICKS, INDIVIDUALLY AND AS DIRECTOR OF RESIDENT LIFE OF  
DOMINICAN COLLEGE, RICHARD FEGINS, JR., KENNETH A. THORNE, JR., ISAIAH  
LYNCH, and TERRELL E. HILL,

Defendants.

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**AFFIDAVIT OF CYNTHIA McGRATH  
PURSUANT TO EPTL § 13-3.5**

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**KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP**

599 Lexington Avenue  
New York, NY 10022-6030  
(212) 536.3900

Attorneys for Plaintiff

Cynthia McGrath, individually and as Administratrix  
Ad Prosequendum of the Estate of Megan Wright